

ORDINANCE NO. 14866

FILE OF CITY COUNCIL

BILL NO. 97 - 2010

INTRODUCED BY ADMINISTRATION

NOVEMBER 17, 2010

AN ORDINANCE

An Ordinance "Providing for the establishment of the Hamilton Street District Review Board; repealing Ordinance No. 12864 of the City of Allentown and all other Ordinances and parts thereof in conflict herewith, also known as Part Seventeen, Building and Housing, Article 1729 of the Codified Ordinances of the City of Allentown.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION 1: That Article 1729 of the Codified Ordinances (Center City Hamilton Mall Sign Control) is hereby repealed and replaced in its entirety by the following:

Article 1729

HAMILTON STREET DISTRICT REVIEW BOARD

1729.01 HAMILTON STREET DISTRICT REVIEW BOARD.

A. Establishment. The Hamilton Street District Review Board shall be a body of five (5) members who shall be appointed by the Mayor, with the advice and consent of City Council. The composition of the Board shall consist of at least three (3) Hamilton Street property owners, business persons or residents, and two (2) persons with a knowledge of or interest in architecture and/or design. The initial terms of the first five (5) members shall be as follows: One (1) shall serve until the first Monday of January 2012, two (2) shall serve until the first Monday of January of 2013, and two (2) shall serve until the first Monday of January 2014. Their successors shall be appointed on the expiration of their respective terms to serve three (3) years. A member shall serve a term of three (3) years from the time of his appointment or reappointment or until his successor shall take office.

B. Functions. The Hamilton Street District Review Board shall have the following powers:

1. Administrative.

To adopt and administer rules of procedure regarding its organization, officers, times and places of meetings, conduct of meetings, and other legal procedures relating to the hearing and determination of recommendations;

2. Review and Comment.

- a. To review, comment and make recommendations to the Zoning Officer and applicant on all applications for signage and façade improvements in the Hamilton Street Overlay Zoning District, pursuant to design guidelines prepared for this purpose, before the issuance of zoning permits for such work; and
- b. To review and comment on the design elements of all applications for grant or loan funding provided by the City of Allentown for façade or sign improvements to Hamilton Street properties, pursuant to the prepared design guidelines; and
- c. To review and provide guidance to property or business owners on proposed façade or design improvements or other architectural or design issues on Hamilton Street properties as to their conformance with the prevailing design guidelines.

C. Meeting Notices. Notices of meetings to be held by the Hamilton Street District Review Board shall include the time and place of meeting; the names of the parties of interest, location, and requested application; and reference to a place within the City where the proposed application may be examined.

SECTION 2: The provisions of this Ordinance are severable. If any sentence, clause or section of this Ordinance if for any reason is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not effect or impair any of the remaining provisions, sentences, clauses or section of this Ordinance. It is hereby declared to be the intent of the City that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

SECTION 3: That Ordinance No. 12864, adopted by City Council August 17, 1988 and any Ordinances or parts of Ordinances adopted by City Council inconsistent herewith be and the same are hereby repealed.

SECTION 4: That this ordinance shall take effect ten (10) after passage.

	Yea	Nay
W. Michael Donovan	X	
Jeanette Eichenwald	X	
Julio A. Guridy	X	
Ray O'Connell	X	
Michael Schlossberg	X	
Peter G. Schweyer	X	
Michael D'Amore, President	X	
TOTAL	7	0

I hereby certify that the foregoing Ordinance was passed by City Council on December 15th and signed by the Mayor on December 16th, 2010.

Michael P. Hanlon
CITY CLERK

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Community and Economic Development/Planning and Zoning

- **Summary and Facts of the Bill**

The repeals the Hamilton Mall Sign Control Ordinance and replaces it with the Hamilton Street District Review Board. The former ordinance was created when the Hamilton Mall was originally constructed and is severely out of date. The new ordinance creates a new design review board that is empowered by the new Zoning Ordinance to review façade changes and new signs along Hamilton Street. The board will also serve as the design review and approval board for all façade improvements undertaken with city funds.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City's Vision/Mission/Priorities**

The ordinance reflects a continuing interest in having some design control on Hamilton Street. The benefits include a more attractive and visually appealing downtown. The City's Comprehensive Plan stresses the importance that design plays in creating an attractive city.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

There are minor incidental costs associated with the operation of the board.

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

N/A

- **Priority status/Deadlines, if any**

Request that consideration of bill occurs as soon as possible. The board is needed to implement certain provisions of the zoning ordinance as well as the city's façade assistance program.

- **Why should Council unanimously support this bill?**

the Bill represents one part of the city's overall commitment to revitalizing the Central Business District.